

## EXTENSIONS OF REMARKS

### RON ALLERD TRIBUTE

#### HON. SCOTT R. TIPTON

OF COLORADO

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 12, 2011*

Mr. TIPTON. Mr. Speaker, I rise today to honor Mr. Ron Allerd, a Colorado businessman who transformed Telluride, Colorado into one of the nation's most treasured, world-class ski resorts. Because of his vision and determination, Mr. Allerd will officially be inducted into the Colorado Ski Hall of Fame on November 2, 2011.

Mr. Allerd first envisioned what the town of Telluride could become after skiing with Telluride native, Johnnie Stevens. In 1978, Mr. Allerd and his business partner, Jim Wells, purchased the Telluride Ski Company, a small company that operated only a few lifts and one day resort.

Their vision slowly became a reality in the community, but on more than one occasion its existence was threatened. After tireless effort and determination, Mr. Allerd worked with various stakeholders and the community to bring amenities to the area, such as an airport, a golf course and a gondola transportation system.

Today, Telluride is an all-season resort that offers unique character to a once dying mining town. Networks of lifts now cover Telluride and its adjoining town, Mountain Village, bringing tourists from around the world to visit this vibrant and active Colorado community.

Mr. Speaker, it is an honor to recognize Mr. Ron Allerd. His legacy and vision is one that will affect Coloradans and Americans for many years to come.

### MR. BRIAN GRYBOSKI

#### HON. LOU BARLETTA

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 12, 2011*

Mr. BARLETTA. Mr. Speaker, I rise to honor Brian Gryboski for the recognition of his athletic ability as he is accepted into the Plains Sports Hall of Fame in Northeastern Pennsylvania.

Mr. Gryboski began his sports career as a pitcher and shortstop in the Plains Little League and as a running back and linebacker with the Plains Yankee football team. In 1989, his final year in the Plains Little League, he threw a no-hitter against Pittston, and he and his team would go on to win the District 16 Little League championship.

While attending Bishop Hoban High School, Mr. Gryboski was a two-year starter for the Argents basketball team when they won two District 2 championships. In 1994, the team reached the state quarterfinals. Also in 1994, Mr. Gryboski was named the McGrane Tournament Most Valuable Player. In 1995, he was a Wyoming Valley Conference All-Star,

and he was the leading scorer in the conference.

While at Wilkes University, Mr. Gryboski played in a record-setting 116 games for the Colonels through his four years. During his stretch at Wilkes, the team earned an impressive 99 wins with just 17 losses. He was a three-year starter, and he was team captain as a senior. Mr. Gryboski's teams accumulated four Middle Atlantic Conference (MAC) Freedom League Championships, three MAC conference titles, and trips to the NCAA Division III "Elite Eight" in 1996, "Final Four" in 1998, and "Sweet 16" in 1999.

Individually, Mr. Gryboski was selected to the All-Eastern College Athletic Conference Third Team in 1997–1998. He left a legacy at Wilkes University, where he is ranked in the Top 20 in all-time scoring with 1,120 points, and he is in the Top 10 in rebounding, free throws attempted, and free throws made.

Mr. Speaker, as a fantastic baseball and basketball player, Mr. Brian Gryboski, left his mark on numerous sports teams, and he will be honored by being inducted into the Plains Sports Hall of Fame.

### VETERANS' BENEFITS TRAINING IMPROVEMENT ACT OF 2011

SPEECH OF

#### HON. GUS M. BILIRAKIS

OF FLORIDA

IN THE HOUSE OF REPRESENTATIVES

*Tuesday, October 11, 2011*

Mr. BILIRAKIS. Mr. Speaker, I rise today in support of H.R. 2349, the Veterans' Benefits Training Improvement Act. I particularly appreciate that the language from my bill, H.R. 1826, was incorporated into H.R. 2349 in Committee. The language that I introduced would simply reinstate the criminal penalties that were previously in place on any individual charging veterans illegal fees for claims before the VA.

Though it is already a violation of the law to charge a veteran in conjunction with filing a benefits claim before the VA, no federal punishment exists, leaving the door open for fly-by-night companies and con artists to take advantage of veterans, unlawfully charging them hundreds or even thousands of dollars.

The language from my bill would make this offense punishable by up to one year in prison and/or fines. Crooked practices must be stopped, and this enforcement mechanism is a critical first step.

Taking advantage of our most vulnerable veterans is a shameful act. I have seen local news reports, and I hear frequently from veterans' liaisons in my district that this problem is rampant, so much so that one of the counties in my district, Hillsborough County, is moving forward to implement a county ordinance that borrows the concept of implementing such an enforcement mechanism from my legislation.

All veterans, regardless of where they reside, should not be forced to bear the financial

burdens of an unenforceable law. They so diligently protected us during our nation's time of need, and now is our opportunity to protect them in their time of need. I am both honored and humbled to serve on the House Veterans' Affairs Committee.

I would like to thank Chairman MILLER for his strong leadership on the Veterans' Affairs Committee, and all of my colleagues on the Committee for their cooperation in pushing this language.

### RECOGNIZING PROF. KRZYSZTOF KANIASTY FOR RECEIVING THE STRESS AND ANXIETY RESEARCH SOCIETY (STAR) LIFETIME CAREER ACHIEVEMENT AWARD

#### HON. MARK S. CRITZ

OF PENNSYLVANIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 12, 2011*

Mr. CRITZ. Mr. Speaker, I rise today to recognize an outstanding scholar for being honored by his peers with an internationally coveted award for excellence in the field of social psychology. Krzysztof Kaniasty, a psychology professor at Indiana University of Pennsylvania, received the Stress and Anxiety Research Society (STAR) Lifetime Career Achievement Award during the 32nd annual STAR Conference held recently in Munster Germany. Each year, STAR presents this award to one of its members who has contributed an original and impactful body of work to one or more of the psychology sub-fields of stress, coping, emotions and health.

Dr. Kaniasty received a Master of Arts in Clinical psychology from Adam Mickiewicz University in Poland in 1981 and a Ph.D. in Social/Community Psychology from the University of Louisville in 1991. Since completing his Doctoral work, he has had over 50 articles published in respected professional journals and has been invited to speak about his work at over 150 different international conferences and meetings. In addition to receiving STAR's lifetime achievement honor, he has been given awards for his work by both the Polish government and Indiana University of Pennsylvania.

Dr. Kaniasty rose to prominence in his field by producing research that provides valuable insight into the psychological impact of natural disasters and criminal victimization. His ability to write and speak prolifically on the complex social dynamics and psychological processes that characterize populations that have experienced a traumatic event is a testament to his skillfulness as a scholar.

It pleases me greatly that Dr. Kaniasty's scholastic efforts have been officially recognized by a professional society as reputable as STAR. I expect that his research from this point forward will be as edifying as it has been over the first 30 years of his distinguished career.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.

HONORING FARHAD MANSOURIAN

**HON. LYNN C. WOOLSEY**

OF CALIFORNIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 12, 2011*

Ms. WOOLSEY. Mr. Speaker, I rise today to recognize Marin County's departing Director of Public Works, Farhad Mansourian. After more than three decades of service to the County of Marin and seven years as Director of the Department of Public Works, Mr. Mansourian has demonstrated an unparalleled commitment to the people of Marin. His passion for managing public works initiatives has earned him the respect and admiration of colleagues across the North Bay. Mansourian moves on to a position as General Manager of the Sonoma-Marín Area Rail Transit (SMART) District, where his voice of experience will be instrumental in bringing our regional rail service to completion.

Farhad Mansourian began his service with the County of Marin in 1980 as a Junior Civil Engineer, gradually branching into new fields as he was promoted to administrative analyst, traffic operations engineer, road maintenance engineer, and eventually Assistant Director. In 2002, the Marin County Board of Supervisors named Mansourian Director of the Department of Public Works, putting him in charge of an agency with over 200 employees and an annual budget of roughly \$80 million.

Since that time, Mansourian has distinguished himself as the principal guardian of the County's infrastructure, including roads and bridges, flood control operations, hazardous waste systems, and public buildings. The County has turned to Mansourian every winter to keep an aging infrastructure functioning in the aftermath of heavy storms. The community turned to him in the event of emergencies like flooding or earthquakes many times. Mansourian also serves as Co-Commander of the Regional Urban Search and Rescue Task Force, which has provided assistance not only in the North Bay, but in other communities recovering from natural disasters, as far away as the Gulf Coast.

In countless ways, Farhad Mansourian has been responsible for keeping our County functioning by facilitating environmental protection and economic development that ensure the safety of Marin County residents. I have found him to be a thoughtful, reliable, and expert partner when working together on these important issues.

Over the past several years, Mansourian has also been a strong advocate for the SMART initiative linking the urban centers of the North Bay with a modern and environmentally responsible rail system. He was active in gathering support for the proposal and in achieving the overwhelming public support received for the bi-county ballot measure providing SMART funding. Mansourian's new role managing the SMART District is fitting for a man so committed to advancing the North Bay's vision for its future, while bridging its infrastructure needs with strong environmental priorities.

Mr. Speaker, I ask you to join me in thanking Farhad Mansourian for his many contributions to Marin County. He represents an admirable model of public service, and we wish him the same success in his new endeavors.

GOVERNMENT ACCOUNTABILITY OFFICE OPINION THAT THE WHITE HOUSE OFFICE OF SCIENCE AND TECHNOLOGY POLICY HAS VIOLATED THE LAW AND THE ANTI-DEFICIENCY ACT IN ITS BILATERAL DEALINGS WITH THE CHINESE GOVERNMENT

**HON. FRANK R. WOLF**

OF VIRGINIA

IN THE HOUSE OF REPRESENTATIVES

*Wednesday, October 12, 2011*

Mr. WOLF. Mr. Speaker, I submit an opinion that I have received from the Government Accountability Office that White House Office of Science and Technology Policy, led by Dr. John Holdren, is in violation of the law and the Anti-Deficiency Act due to its continued dealings with the Chinese government.

UNITED STATES

GOVERNMENT ACCOUNTABILITY OFFICE,  
*Washington, DC, October 11, 2011.*

Hon. FRANK R. WOLF,

*Chairman, Subcommittee on Commerce, Justice, Science, and Related Agencies, Committee on Appropriations, House of Representatives.*

Subject: Office of Science and Technology Policy—Bilateral Activities with China

This responds to your request for our opinion on the propriety of activities undertaken in May 2011 by the Office of Science and Technology Policy (OSTP) with representatives of the government of the People's Republic of China. Letter from Representative Wolf to the Comptroller General (May 11, 2011) (Request Letter). Specifically, you point to meetings with Chinese representatives during the U.S.-China Dialogue on Innovation Policy (Innovation Dialogue) and the U.S.-China Strategic and Economic Dialogue (S&ED) held in Washington, D.C., in May 2011. You ask whether OSTP violated section 1340 of the Department of Defense and Full-Year Continuing Appropriations Act, 2011. Section 1340 prohibits the use of OSTP appropriations for bilateral activities between OSTP and China, or Chinese-owned companies, unless specifically authorized by laws enacted after the date of the appropriations act. Pub. L. No. 112-10, div. B, title III, 125 Stat. 38, 123 (Apr. 15, 2011).

As explained below, we conclude that OSTP's use of appropriations to fund its participation in the Innovation Dialogue and the S&ED violated the prohibition in section 1340. In addition, because section 1340 prohibited the use of OSTP's appropriations for this purpose, OSTP's involvement in the Innovation Dialogue and the S&ED resulted in obligations in excess of appropriated funds available to OSTP; as such, OSTP violated the Antideficiency Act, 31 U.S.C. § 1341(a)(1)(A).

Our practice when rendering legal opinions is to obtain the views of the relevant agency to establish a factual record and to elicit the agency's legal position on the subject matter of the request. GAO, *Procedures and Practices for Legal Decisions and Opinions*, GAO-06-1064SP (Washington, D.C.: Sept. 2006), available at [www.gao.gov/legal/resources.html](http://www.gao.gov/legal/resources.html). In this case, OSTP provided us with its legal views and relevant supporting materials. Letter from General Counsel, OSTP to Assistant General Counsel, GAO, Re: B-321982, Office of Science and Technology Policy—Bilateral Activities with China (June 23, 2011) (OSTP Response). We also spoke by telephone with OSTP's General Counsel to ask questions about OSTP's June letter. Telephone Conversation with General Coun-

sel, OSTP (Aug. 4, 2011) (August Conversation). See also Letter from General Counsel, OSTP to Senior Attorney, GAO, Re: Follow-up to August 4, 2011, Telephone Call (Aug. 29, 2011) (OSTP August Letter).

## BACKGROUND

The Presidential Science and Technology Advisory Organization Act of 1976 established OSTP to "serve as a source of scientific and technological analysis and judgment for the President with respect to major policies, plans, and programs of the Federal Government." 42 U.S.C. 6614(a). Part of the agency's mission is to "advise the President of scientific and technological considerations involved in areas of national concern including . . . foreign relations. . . ." 42 U.S.C. 6613(b)(1).

Between May 6 and 10, 2011, OSTP "led and participated in a series of meetings with Chinese officials" as part of the Innovation Dialogue and the S&ED. OSTP Response, at 3. On May 6, 2011, the OSTP Director and Chinese Minister of Science and Technology participated in the Innovation Dialogue. According to OSTP, a goal of the Innovation Dialogue was to "serve as a forum for persuading the rollback of discriminatory, counterproductive Chinese procurement and intellectual property policies. . . ." OSTP Response, at 3. Among the topics discussed were "market access and technology transfer; innovation funding and incentives; standards and intellectual property; and government intervention." OSTP Response, at 4. OSTP informed our office that the OSTP Director opened and closed the Innovation Dialogue and served on discussion panels. OSTP August Letter, at 1. OSTP staff helped the Director prepare for and participate during the meetings. *Id.* See OSTP Response, at 5.

On May 8, 2011, OSTP hosted a dinner to honor Chinese dignitaries. Six U.S. participants attended the dinner, along with an unidentified number of "staff-level employees from other federal agencies." OSTP Response, at 4, n.13. The Director is the only listed dinner attendee from OSTP. There were six Chinese invitees. *Id.*

On May 9 and 10, 2011, OSTP participated in the S&ED. The purpose of the S&ED was to bring together various U.S. and Chinese government officials to "discuss a broad range of issues between the two nations," including on matters regarding trade and economic cooperation. U.S. Department of the Treasury, U.S.-China Strategic and Economic Dialogue, available at [www.treasury.gov/initiatives/Pages/china.aspx](http://www.treasury.gov/initiatives/Pages/china.aspx) (last visited Oct. 4, 2011). The Secretary of the Treasury and the Secretary of State co-chaired the S&ED along with the Vice Premier and State Councilor of the People's Republic of China. *Id.* Topics of discussion included "enhancement of trade and investment cooperation; an overview of bilateral relations; military-to-military relationships; cooperation on clean energy, energy security, climate change, and environment; customs cooperation; and energy security." OSTP Response, at 4. The OSTP Director spoke many times during the various sessions, including on U.S.-China cooperation on climate science. August Conversation. OSTP also had at least one staff member attend the S&ED in addition to the Director. *Id.*

The Full-Year Continuing Appropriations Act, 2011, enacted into law on April 15, 2011, included appropriations for OSTP for fiscal year 2011 in title III of division B, Pub. L. No. 112-10, div. B. Section 1340 of title III provides:

"None of the funds made available by this division may be used for the National Aeronautics and Space Administration or the Office of Science and Technology Policy to develop, design, plan, promulgate, implement,